UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/428
15 April 1999

ORIGINAL: ENGLISH

LETTER DATED 15 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to bring to your attention a proposal by the Government of the Federal Republic of Germany aiming at a solution to the Kosovo crisis, which was made public on 14 April 1999 (see annex).

I should be grateful if the text of the present letter and its annex were circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Ambassador
Permanent Representative

99-10799 (E) 150499

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Annex

Kosovo Peace Plan

1. Step 1

A ministerial meeting of the Group of eight agrees that the list of demands to Belgrade worked up by the Dresden meeting of the Group of eight Political Directors is to be turned into a Security Council resolution.

The following points would be determined:

- The time for the start of the withdrawal of all military, police and paramilitary forces. Establishment of the time by which the withdrawal must be completed. In addition the verification of the withdrawal (see point 4).

- In parallel to the withdrawal of the Yugoslav forces, commitment of UCK (KLA) to stop all conflict and not to change its current deployment.

- Establishment of an international peace force under Chapter VII of the Charter of the United Nations with the principles: robust; no double key; strict rules of engagements.

- Start of work of the international aid organizations in Kosovo as soon as possible, in any case at the latest by the time the Yugoslav forces withdraw.

- Once the withdrawal of the Yugoslav forces is complete, deportees and refugees return to Kosovo, and the first reconstruction and rehabilitation measures are carried out.

- Placing of Kosovo under a transitional administration authorized by the United Nations until a final political resolution is achieved.

2. Step 2. Consideration by the Security Council

This agreement should on the same day, or as soon as possible, be turned into a resolution of the Security Council under Chapter VII of the Charter.

3. Step 3. Implementation

The adoption of the resolution will be communicated to the Belgrade authorities. If the withdrawal of the Yugoslav forces begins there will be a 24-hour break in the air strikes. To the extent that this occurs, the break will be extended for the period required for the withdrawal of the forces. If the withdrawal of the forces has been achieved within the required time period the air strikes will be permanently suspended.

In parallel to the withdrawal of the Yugoslav forces: implementation of the requirement on UCK (KLA) to cease fire, and not to leave existing positions until the peacekeeping force arrives in Kosovo. At this time the disarming and demilitarization of UCK (KLA) begins.

Before the international peace force has been fully deployed and parallel to the withdrawal of the Yugoslav forces, fast, mobile advance forces of the States contributing to the international peace force move successively into Kosovo.

The Kosovo Verification Mission again takes up its verification responsibilities under the new conditions.

Transitional administration authorized by the United Nations.

4. In parallel to this, military safeguarding above Kosovo and outside Kosovo:

- NATO air forces;

- NATO ground forces in the former Yugoslavia Republic of Macedonia/Albania (strength to be determined)

For these parts of the force rules of engagement must be determined.

5. During implementation of the Security Council resolution:

As quickly as possible, in any case at the latest with the arrival of the advance forces of the international peace force in Kosovo, the international aid organizations begin their work.

6. At the same time as the achievement of the Yugoslav troop withdrawal:

Start of return of deportees and refugees.

Start of the first reconstruction and rehabilitation measures.

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15 April 1999

ORIGINAL: ENGLISH

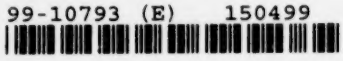
LETTER DATED 15 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to bring to your attention the Chairman's summary of the deliberations on Kosovo at the informal meeting of the Heads of State and Government of the European Union held at Brussels on 14 April 1999 (see annex).

I should be grateful if the text of the present letter and its annex were circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Ambassador
Permanent Representative

99-10793 (E) 150499



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Annex

[Original: English and French]

Chairman's summary of the deliberations on Kosovo at the informal meeting of the Heads of State and Government of the European Union held at Brussels on 14 April 1999

1. The Heads of State and Government of the European Union had an in-depth discussion on the present crisis in Kosovo. The Secretary-General of the United Nations took part in the meeting.

2. The Heads of State and Government reiterate their determination not to tolerate the killings and deportations in Kosovo and believe that the use of the severest measures, including military action, has been both necessary and warranted. They will persist in pursuing the goal of a multi-ethnic and democratic Kosovo in which all its people can live in peace and security. The Yugoslav authorities will be held fully responsible for the security and well-being of people displaced in Kosovo.

3. The Heads of State and Government support the initiative of the Secretary-General of 9 April 1999 which sums up the demands of the international community and on which they cannot compromise: an immediate halt to the use of force, withdrawal of all military and special police forces as well as irregular units, deployment of an international military force and the return of all refugees and displaced persons. They stress that it is now up to the Yugoslav authorities to fully accept the international demands and begin immediately with their implementation. This would permit a suspension of military action by NATO and would pave the way for a political solution.

4. The Heads of State and Government shall initiate the introduction of these principles into a resolution to be adopted by the Security Council under Chapter VII of the Charter of the United Nations.

5. The Heads of State and Government recall their support for a political settlement of the Kosovo crisis, based on the Rambouillet acquis, which provides for substantial autonomy within the borders of the Federal Republic of Yugoslavia. They have agreed upon the main elements of an interim arrangement for Kosovo, to be established directly after the end of the conflict. They consider the following elements to be essential:

- Establishment of an international interim administration which the European Union could take over;

- Creation of a police force that reflects the composition of the population of Kosovo;

- Holding of free and fair elections;

- Deployment of international military forces that will guarantee protection for the whole population of Kosovo.

6. The Heads of State and Government stressed the necessity of an active role for the European Union in overcoming the crisis.

7. The Heads of State and Government emphasize the importance they attach to close cooperation with the Russian Federation, whose contribution is indispensable to finding a solution to the Kosovo problem.

8. The Heads of State and Government reaffirm the conclusions of the General Affairs Council of 8 April 1999 regarding humanitarian assistance for refugees and displaced persons as well as assistance for the neighbouring countries of the Federal Republic of Yugoslavia. These countries can be assured of the solidarity of the European Union and its member States.

9. The European Union will convene a Conference on South-Eastern Europe to decide upon further comprehensive measures for the long-term stabilization, security, democratization and economic reconstruction of the entire region. In this context, the Heads of State and Government stress that all the countries in the region have a prospect for an increasing rapprochement to the European Union.

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S/1999/430
15 April 1999
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Fifty-third session
Agenda item 40
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-fourth year

Letter dated 15 April 1999 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to our earlier letters concerning Israel's acts of aggression and other practices in southern Lebanon and the occupied areas, and with particular reference to my letter of 18 February 1999 concerning Israel's attempt to expand the area it occupies to include the village of Arnoun (A/53/834-S/1999/172), I have to inform you that on 15 April 1999 Israel sent 50 men, preceded by a Merkavah tank, an armoured personnel carrier and a jeep, into and through the same village. In a new attempt to include it in the occupied zone in the south, they separated Arnoun from the liberated area and proceeded to arrest residents and to prevent inhabitants from entering.

In bringing this dangerous development to the attention of the Secretary-General, the members of the Security Council and the international community, the Lebanese Government urges swift action to put an end to a situation that constitutes a flagrant violation of the Charter of the United Nations and the principles of international law. It calls attention to the need to implement resolution 425 (1978), in which the Security Council calls upon Israel to withdraw unconditionally to the internationally recognized boundaries of Lebanon. The Lebanese Government holds Israel responsible for all material and other damage that may be done to civilians by this action.

I request you to have this letter circulated as a document of the General Assembly, under agenda item 40, and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

99-10871 (E) 160499 160499

UNITED
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General Assembly
Security Council

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A/53/911
S/1999/431
15 April 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 10
REPORT OF THE SECRETARY-GENERAL ON THE
WORK OF THE ORGANIZATION

SECURITY COUNCIL
Fifty-fourth year

Letter dated 15 April 1999 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to forward to you herewith the excerpts from the statement made by the President of Ukraine, Leonid Kuchma, at his meeting of 15 April 1999 with the representatives of the national mass media on the mediation initiative of Ukraine regarding the settlement of the Kosovo crisis (see annex).

I would be grateful if you could have the present letter and its annex circulated as a document of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Volodymyr YEL'CHENKO
Ambassador
Permanent Representative of
Ukraine to the United Nations

Annex

Excerpts from the statement made by the President of Ukraine, Leonid Kuchma, at his meeting of 15 April 1999 with the representatives of the national mass media on the mediation initiative of Ukraine regarding the settlement of the Kosovo crisis

Question:

The mediation initiative of the President of Ukraine on the settlement of the Yugoslav conflict was made public literally in its first hours, on March 24. Two days later, on your instructions the delegation of Ukraine headed by the Minister for Foreign Affairs left for Belgrade. At that time, nobody else has talked about mediation yet.

Have we received a response? What is the reaction of the conflicting parties?

Answer:

We keep in constant touch with the parties to the conflict, neighboring states, influential members of the international community. These efforts are being pursued both at the level of the heads of states, inter alia, over the phone, during my visits to Slovenia and Moscow to the CIS Summit, and by the Ministry of Foreign Affairs. During the negotiations with the President of the FRY S.Milosevic, the head of the Yugoslav diplomacy Z.Jovanovic Minister B.Tarasyuk presented in detail the Ukrainian initiative and proposed the mediation offices to cease military actions. Immediately after that visit, member states of the Contact Group, including Russia, were familiarized with the proposals of Ukraine. We were the first. Not everybody accepted Ukraine at once as a mediator. Today, the situation has changed. The last example is the negotiations between Ukraine and the European Union Troika on April 13, in Kyiv, which was represented by the Foreign Ministers of Germany, Austria and Finland. Our guests not only noted a special value of the Ukrainian efforts, but called for their intensification.

Question:

Would you describe the main aspects of the mediation initiative of Ukraine. What are their specifics?

Answer:

We believe that no international dispute may be allowed to grow into a conflict, it should be settled not by means of force but through negotiations. We are also convinced that no government has the right to exercise terror and violence against its own citizens, to restrict their human and civil rights. At last, the use of force is inadmissible without a relevant decision of the UN Security Council. That is the crux of Ukraine's position which was made public in the Statement of the Ministry of Foreign Affairs of March 24.

Proceeding from this position, we elaborated our mediation initiative, which, as I mentioned above, was presented to the leadership of the FRY and Member States of the Contact Group back on March 27 and 30.

Its primary objective is to stop sliding down to the abyss, to break down the logic of war. The way to that is in simultaneous, I repeat, **simultaneous and synchronized steps** toward each other.

The plan consists of three phases. **At the first phase,** which envisages such synchronous steps, the authorities of Yugoslavia shall stop military actions in Kosovo, withdraw their armed and security forces from the province, create conditions for unhindered return of hundreds of thousands of refugees under the international supervision of peace-keeping force. NATO member states shall stop air strikes against the FRY.

The peacekeeping contingent could be formed under the auspices of the United Nations, possibly - the OSCE, and Ukraine would be ready to take part in it. In a likewise manner, all military actions shall be synchronously ceased by the Kosovo Albanians. It is to ensure control over synchronism and inviolability of the reached agreements that the peace-keeping force should be deployed simultaneously with the withdrawal of the Yugoslav forces.

A critically important detail is that the peace-keepers should be led by a political figure, vested with the UN Security Council mandate - I would name this person a Special Envoy or Representative of the UN Secretary-General. The peace-keeping force could be staffed according to the principle of acceptability to all the parties concerned, which means, first of all, from the non-block and neutral states.

The second phase includes return of the refugees under the supervision of and accompanied by the peacekeeping forces, deployment of the OSCE humanitarian mission to ensure well-ordered return and housing of the refugees and displaced persons.

The third phase could constitute the convening of a peace conference in the capital of one of the neutral states.

During all the time until the final settlement of the problem of refugees the international community, first of all the European states, the Office of the UN High Commissioner for Refugees and the International Committee of the Red Cross should provide the refugees, citizens of the FRY, and the neighboring with the FRY states, where the majority of refugees are accumulated, with the necessary humanitarian aid.

Question:

The initiatives of the President of Ukraine seem to be largely echoed with the proposals by the UN Secretary-General K.Annan in his statement in Geneva of April 9, in the EU statement on Kosovo, in the position of the Non-Aligned Movement...

Answer:

We have never tried to make of our initiative a point for competition. The main objective is to bring peace to the Balkans. Ukraine does not claim to have a monopoly on mediation. The fact that our ideas are being shared by others testifies to their realistic nature from the very beginning. By the way, the sooner the parties to the conflict realize it, the better it will be.

As for their specific value - it is in the role of Ukraine. It just turned out that the status of Ukraine, which is not a party to any bloc, is acceptable to all the parties as an impartial interlocutor. For 8 years of the regained independence, we have proved to possess a skill to solve the most difficult problems in a peaceful manner. Back at home, we managed to settle in the same way an extremely precarious [ethnic, historic and humanitarian] problem in the Crimea. Abroad, we participated and shall participate in peace-keeping operations, including operations in the Balkans. We actively contribute to the resolution of the situation around Abkhasia. Ukraine is a guarantor of the conflict settlement in Transdnistria.

[Therefore] We have a moral right to state that our mediation efforts are sincere, proposals are realistic, and we have people to implement them.

Question:

Imagine that we receive positive answers from Belgrade and Brussels now. Is Kyiv ready for this?

Answer:

Certainly. I shall talk to both President S.Milosevic and Secretary-General J.Solana. Foreign Minister Borys Tarasyuk will be ready to fly to Washington, D.C., and Yugoslavia. We are ready to talk to Dr. I.Rugova, who can come to Kyiv.

But first – to end military actions simultaneously. The Action Plan is at the disposal of the conflicting parties. Kyiv is expecting an answer.

UNITED NATIONS **S**

Security Council

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S/1999/432
16 April 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 16 APRIL 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the report on the situation in Guinea-Bissau prepared by the Executive Secretary of the Economic Community of West African States (ECOWAS) pursuant to the request made in paragraph 7 of Security Council resolution 1216 (1998).

(Signed) Kofi A. ANNAN

99-10982 (E) 200499 200499

Annex

Report on the situation in Guinea-Bissau prepared by the Executive Secretary of the Economic Community of West African States (ECOWAS)

Introduction

1. This is the first report addressed to the United Nations Secretariat by the Executive Secretariat of ECOWAS concerning the situation in Guinea-Bissau. It has been prepared pursuant to Security Council resolution 1216 (1998) of 21 December 1998.

2. The report covers the period from the date of the deployment in Guinea-Bissau of advance contingents of the ECOWAS Military Observer Group (ECOMOG) to the present. It describes the status of implementation of the Abuja Agreement of 1 November 1998, including the activities of ECOMOG in Guinea-Bissau, and the political, military, social and humanitarian situation.

I. Deployment of ECOMOG in Guinea-Bissau

3. To facilitate the implementation of the Abuja Agreement, the current Chairman of ECOWAS and President of the Togolese Republic, His Excellency Mr. Gnassingbé Eyadéma, dispatched a Togolese company of 112 men to Bissau on 26 December 1998, as an advance detachment of the ECOWAS interposition force (ECOMOG). Upon its arrival, this detachment was immediately deployed to two strategic points in the capital city, namely, the port and the airport, and in the Bôr district.

4. In addition, the following member States, in response to the ECOWAS appeal, pledged to supply troops for the ECOMOG force in Guinea-Bissau: Benin (300 men), Gambia (150 men), Niger (500 men) and Togo (500 men). To help those States honour their pledge and to speed up the deployment of additional ECOMOG troops, the French Republic offered to transport to Bissau troops constituting a battalion of 600 men. The French Republic also offered to defray the battalion's subsistence costs (per diem) and to provide it with basic logistical support. With this support, contingents from the countries in question were transported to Bissau from their respective capitals. A meeting of the army chiefs of staff of the countries concerned was held in Lomé on 19 and 20 February 1999 to decide on the size of the different contingents that were to make up the battalion, in order to reflect the international character of the West African interposition force in Guinea-Bissau. Since 12 February 1999, the French-supported battalion has brought to 712 men the current operational strength of ECOMOG in Guinea-Bissau. All these troops are under the command of Colonel Gnakoudé Berena. The ECOMOG command divided the city of Bissau into four sectors, putting one contingent in charge of each sector.

5. Since the ECOMOG mission in Guinea-Bissau required the rapid deployment of a second battalion with a permanent strength of 850 men, ECOWAS undertook to find appropriate assistance for this purpose. In this connection, a meeting of the friends of Guinea-Bissau is to be held in New York, under United Nations auspices, on 20 April 1999, at which donors should indicate what assistance they

intend to provide for the deployment of additional ECOMOG troops in Guinea-Bissau.

II. Implementation of the Abuja Agreement

6. The parties in Guinea-Bissau, encouraged by the twenty-first session of the Conference of Heads of State and Government of ECOWAS, signed a peace agreement in Abuja on 1 November 1998. In that agreement, they reaffirmed the ceasefire agreement signed in Praia on 26 August 1998. They also agreed on procedures for the withdrawal of foreign troops from Guinea-Bissau, ECOMOG activities in Guinea-Bissau, the establishment of a government of national unity and the holding of general and presidential elections.

A. Monitoring of the ceasefire agreement

7. Unfortunately, there was a resumption of hostilities in Bissau on 31 January 1999, resulting in serious violations of the ceasefire agreement. Heavy fighting took place between the warring parties, which was halted only through the mediation of the current Chairman of ECOWAS, culminating in the signing of a new ceasefire agreement by President João Bernardo Vieira and General Ansumane Mane in Bissau on 3 February 1999. There have been no further serious violations of the ceasefire agreement since then.

B. Withdrawal of foreign troops from Guinea-Bissau

8. The resumption of hostilities, together with the fact that logistical constraints prevented the immediate deployment of all the troops promised by member States willing to supply them to ECOMOG, meant that the withdrawal of foreign troops could not be effected simultaneously with the deployment of ECOMOG. As a result, certain activities, such as the demilitarization of the city of Bissau, the return to barracks of soldiers of the two warring parties, the collection and storage of weapons and the dismantling of checkpoints and of the front line in Bissau, had to be begun before the complete withdrawal of foreign troops from Guinea-Bissau. The withdrawal of foreign troops continued until 22 March 1999.

C. ECOMOG activities in Guinea-Bissau

9. Since the deployment of ECOMOG in Guinea-Bissau, its activities both prior to the resumption of hostilities on 31 January 1999 and after that date have consisted of the following:

- Period prior to 31 January 1999

10. ECOMOG undertook to consolidate the ceasefire by means of patrols and visits to the front line. It carried out awareness-raising activities among soldiers of the two warring parties, thereby helping to build a climate of confidence between them. It also reopened the main roads linking the capital to the country's interior. It set up a joint military commission on which it is represented, comprising members of the loyalist forces and the junta's forces. The joint commission is responsible, inter alia, for settling the various disputes between the parties to the conflict. ECOMOG helped to promote freedom

of movement of persons, including the freedom of movement of soldiers of the two parties by accompanying them outside areas under their control whenever they wished. It helped all those seeking access to displaced persons and refugees to gain such access. Its doctors also provided services in situ to refugees and displaced persons. Lastly, it helped ensure the free movement of goods.

- Period from the resumption of hostilities to the present

11. ECOMOG evacuated officials of embassies and international organizations, and anyone else who wanted to be evacuated, from areas where there was fighting. It took part in the ceasefire negotiations held under the auspices of the current Chairman of ECOWAS. It obtained the consent of the warring parties to the interposition of forces on the front line. It is continuing to contribute to the work of the joint military commission, which has set up a joint unit for the verification, monitoring and collection of weapons. This is a genuine disarmament structure with its own statute and three subcommissions. Between 25 February and 4 March 1999, the joint military commission undertook the recovery of heavy weapons, which posed the biggest threat, throughout the national territory. The recovered weapons were placed in containers locked by three sets of keys, with the junta, loyalist forces and ECOMOG each keeping one set of keys. The containers have been gathered together in specific locations and are being guarded by ECOMOG. The joint military commission's disarmament exercise ended in Bissau on Saturday, 20 March 1999. The commission has also marked mined areas of the capital city, pending their demining. It has marked unexploded devices and is removing them for destruction as soon as they are dug up. Bulletins have been broadcast on national radio and the junta's radio station, alerting the population to the dangers of such devices. It is estimated that, in all, over 20,000 mines were laid in Guinea-Bissau, and that there are over 1,200 unexploded devices (shells, rockets, grenades) buried here and there, including in the gardens of some homes. The joint military commission is also setting up an ad hoc commission for the reunification of combatants of the two warring parties within a genuinely national army.

D. Establishment of a government of national unity

12. Within the framework of the implementation of the Abuja Agreement of 1 November 1998, the President of the Republic, His Excellency Mr. João Bernardo Vieira, at the junta's proposal, appointed Mr. Francisco Fadul as Prime Minister.

13. Within the same framework, the current Chairman of ECOWAS and President of the Togolese Republic, His Excellency Mr. Gnassingbé Eyadéma, invited the signatories to the Abuja Agreement to a meeting to discuss the evolution of the peace process in Guinea-Bissau and to seek ways and means of accelerating the implementation of the Agreement. At that meeting, held in Lomé on 14 and 15 December 1998, the parties, inter alia, agreed on the formation of a government of national unity according to a structure and a distribution of portfolios which were set out in an additional protocol to the Abuja Agreement. The structure and the distribution of ministerial portfolios were as follows:

Ministries to be filled by the President of the Republic of Guinea-Bissau:

- Ministry of Foreign Affairs and International Cooperation;
- Ministry of Justice and Labour;
- Ministry of Agriculture, Fisheries and Natural Resources;
- Ministry of Education, Youth, Culture and Sports;
- Ministry of Health and Social Affairs;
- Secretariat of State for Energy, Natural Resources and the Environment;
- Secretariat of State for Transport and Communications;
- Secretariat of State for Administrative Reform and the Civil Service.

Ministries to be filled by the Commander of the self-proclaimed military junta:

- Ministry of Defence and National Freedom Fighters;
- Ministry of the Interior;
- Ministry of the Economy and Finance;
- Ministry of Social Welfare;
- Secretariat of State for the Treasury;
- Secretariat of State for Commerce, Industry, Tourism and the Craft Industry;
- Secretariat of State for Public Information and Parliamentary Affairs;
- Secretariat of State for National Freedom Fighters.

14. After many delays caused by several challenges by the junta to individuals proposed by the Head of State to fill the ministerial positions allocated to him under the above distribution, the Government was formed and the Prime Minister was invested at Bissau on 20 February 1999. His investiture nevertheless took place in a festive atmosphere and in a spirit conducive to national reconciliation.

E. Holding of general and presidential elections

15. The Abuja Agreement stipulated that general and presidential elections must be held not later than the end of March 1999. However, the delays in implementing the Agreement made it impossible to hold elections by the dates originally stipulated. The signatories to the Abuja Agreement nevertheless continue to reiterate the need for free and transparent elections to be held in their country as soon as possible. The current Chairman of ECOWAS and myself

will continue consultations with the parties to the conflict to ensure that they reach a consensus on the date of the elections.

III. Political issues

16. In the political sphere, it should be mentioned that President Eyadéma appointed Ambassador Takassi as Special Representative of the current Chairman of ECOWAS in Guinea-Bissau.

17. Recent weeks were marked, in the political sphere, by the investiture of the Prime Minister, the return of political parties to the scene and the consent of the Head of the State to the publication of the report of the parliamentary commission of inquiry into arms trafficking between Guinea-Bissau and Senegal. Regarding the investiture, it should be mentioned that, despite the junta's difficult relations with the Governments of Senegal and Guinea, its High Command welcomed the fact that the two Governments were invited to the ceremony. The Republic of Guinea was represented in Bissau by its Minister for Foreign Affairs, and the Republic of Senegal by its Minister of the Interior. Mention should also be made of the meeting between President Vieira and General Mane on the occasion of the visit to Bissau by the European Union Commissioner for Humanitarian Affairs. This meeting at the highest level between the parties to the conflict, and the Lomé meeting which followed it on 17 and 18 February 1999, contributed in some small measure to ironing out the differences between President Vieira and General Mane. During a meeting held in Bissau on 9 March 1999 with the Special Representative of the current Chairman of ECOWAS, the representatives of seven political parties expressed their desire to participate in the process of peace-building in Guinea-Bissau, as well as their support for the idea of holding elections in June or July 1999. They also indicated their readiness to participate in and assist with voter registration for the forthcoming elections in their country.

18. I also proposed to the parties to the conflict a draft agreement between ECOWAS and the Republic of Guinea-Bissau on the operations, composition and status of ECOMOG. This draft was discussed, amended and adopted by the Executive Secretariat and by the representatives of President Vieira and of the junta. We signed this agreement on 22 March 1999, on the occasion of a mission which I undertook to Guinea-Bissau. The agreement should provide the necessary protection for the various contingents which make up ECOMOG in Guinea-Bissau and guarantee them the freedoms essential for carrying out their mission. The agreement specifies the mandate, troop strength and missions of ECOMOG and outlines the concept of its operations. It sets a timetable for the withdrawal of Guinean and Senegalese troops and also the duration of ECOMOG operations in Guinea-Bissau. Lastly, it specifies the privileges and immunities granted to ECOMOG.

IV. Military issues

19. The resumption of hostilities on 31 January 1999 occurred after a press campaign highly critical of the President of the Republic, ultimatums to ECOWAS and the publication of statements by certain leaders that were not conciliatory. These unfortunate events, like the withdrawal of Guinean and Senegalese troops, nevertheless helped to make the parties to the conflict more aware of the need

to make meaningful concessions with a view to the peaceful, rapid settlement of the crisis. They undoubtedly contributed to the success of the processes of disarmament, return to barracks, recovery of weapons and other activities undertaken by the joint military commission.

V. Social and humanitarian issues

20. Technical reasons seem to be delaying the reopening of Osvaldo Vieira airport, which was provided for in the Abuja Agreement. The port, on the other hand, is operational.

21. Banks are expected to reopen very soon, and a team from the headquarters of the Central Bank of West African States (BCEAO) is currently auditing them. Following an official communiqué issued on 20 March 1999 by the Government of National Unity and calling on all civil servants to return to work on 22 March 1999, public offices and schools have reopened.

22. People who fled Bissau on or after 31 January 1999 are beginning to return home and the capital is resuming its day-to-day activities. Many homes in Bissau remain abandoned, however, their owners or occupants still not having returning from exile or internal displacement. Many displaced persons are still living in the makeshift camps which were set up in several locations. The village of Safim, for instance, which normally has a population of 600 currently has 43,935 people living in a displaced persons camp. The town of Cumura has also seen its population increase dramatically.

23. In February 1999, the numbers of people living in displaced persons camps were as follows:

Bissau

• Fatim Parish	3 000
• San Antônio de Bandim Parish	200
• Cristo Redentor Parish	400
• Cathedral	1 000
• Vocational School (CIFAP Alto de Bandim)	7 000
• 3 de agôsto Hospital	10 000
• Health project	15 000
• Mendez Hospital	1 000
• 24 de setembro Stadium	1 000
• Takir	9 000

• Ndame	5 000
• Ministry of Justice	7 000
Safim	
• Displaced persons camp	43 935
Cumura	
Displaced persons camp	30 000

24. A meningitis epidemic is sweeping the country's interior, particularly the displaced persons camps.

25. Despite the success of the joint military commission's efforts in the areas of disarmament, dismantling of the front line and demilitarization, a number of problems remain.

VI. Current or potential problems

26. While disarmament was carried out relatively easily in the capital, Bissau, it has yet to take place in the interior of the country. Junta allegations of loyalist arms caches in Bissau are hampering cooperation between the junta and the joint military commission with regard to disarmament and demilitarization in the interior of Guinea-Bissau. The unsuccessful investigations carried out in response to those allegations unfortunately failed to inspire complete confidence or to allow disarmament and demilitarization to continue in the interior of Guinea-Bissau.

27. The departure of foreign troops from the territory of Guinea-Bissau also led some people to perceive an imbalance of forces on the ground that could be corrected only by a substantial increase in ECOMOG troops, which the President of Guinea-Bissau is urgently demanding.

28. The limited troop strength and scant resources of the ECOMOG force currently operating in Guinea-Bissau are in fact delaying or reducing the effectiveness of some of its activities.

29. It was not possible to hold the general and presidential elections which were to have taken place not later than the end of March 1999, and the parties have yet to agree on new dates.

30. The expiration of the term of office of the President of the Republic in September 1999 could complicate relations between the parties, unless they make the compromises needed to avoid an institutional vacuum.

31. The prior return of refugees and displaced persons should not be an insurmountable obstacle. In any case, it should not be a pretext for lengthy postponement of the elections. In this regard, it is important to stress that most displaced persons camps are situated within a radius less than 20 kilometres from Bissau.

32. The current Chairman of ECOWAS and myself have entered into consultations with the parties to the conflict to find a solution to the thorny issue of the date of the elections. It is hoped that these ongoing consultations will soon be brought to a fruitful conclusion.

33. There are legitimate questions about how the parties to the conflict, politicians and the general public will react to the National Assembly's publication of the report of the parliamentary commission of inquiry into arms trafficking between Guinea-Bissau and Senegal.

34. It is impossible to predict how the radio stations belonging to the parties to the conflict will behave in the run-up to the elections, and it will not be easy to impose a code of conduct on their presenters.

35. In view of the foregoing, the international community should take rapid, forceful action to support ECOWAS efforts to achieve a lasting peace in Guinea-Bissau.

VII. Observations

36. Despite the very significant progress achieved in the disarmament process through the cooperation of the parties and the professionalism of ECOMOG troops, the situation on the ground remains precarious.

37. As the date of the elections draws nearer, the risks of tension developing between loyalists, the junta and political parties will increase.

38. Despite all that ECOMOG has done since its deployment in Guinea-Bissau, it still has many important tasks to accomplish in that country.

39. In the circumstances, priority must clearly be given to strengthening the ECOMOG force by rapidly deploying an additional battalion of 850 men in Guinea-Bissau. Any assistance which can be given to ECOWAS to effect this deployment will be greatly appreciated.

40. It would be particularly useful to acquire for ECOMOG appropriate logistics for the deployment of a naval unit, made necessary by Guinea-Bissau's geographical make-up. The acquisition of an aeroplane or a helicopter is also essential to enable ECOMOG to make important, urgent trips between Bissau and points outside the country.

41. Appropriate friendly pressure should be brought to bear by all those with any influence on the parties to the conflict, to persuade them to show constant willingness to resolve the crisis peacefully, avoid any institutional vacuum and refrain from recruiting and training new combatants and hiding weapons.

42. Since the Casamance problem was at the heart of the crisis, any efforts that may be made to resolve it will undoubtedly contribute to the restoration of a definitive, lasting peace in Guinea-Bissau. Such efforts will therefore be particularly appreciated by ECOWAS.

43. The initiatives and actions taken by the Senegalese Government and the Mouvement des Forces Démocratiques de la Casamance (MDFC) to achieve a definitive settlement of the crisis should be encouraged.

44. One of Guinea-Bissau's most urgent needs appears to be assistance in building the Government's capacity to create an economic and social environment conducive to sustainable development.

45. One major source of concern is the large number of anti-personnel mines and unexploded devices buried in Guinea-Bissau's soil, the destruction of which requires appropriate assistance.

46. The presence and effective action in Guinea-Bissau of United Nations humanitarian agencies will be a great help to the country. Adequate assistance, promptly provided, would do much to alleviate the suffering of displaced persons and refugees.

47. Economic and international operators need to be informed that the port of Bissau has reopened and that it offers full safety guarantees for fishing and for the import of goods.

48. Rapid solutions must be found to enable the necessary aeronautical equipment to be purchased for Guinea-Bissau to permit the reopening of Osvaldo Vieira airport.

49. The international community is invited to begin mobilizing the necessary material and financial resources and to provide the necessary technical assistance for the holding of free, transparent elections in Guinea-Bissau.

50. The international community is also invited to help the Government of Guinea-Bissau with the reconstitution of the armed forces and security forces, as soon as the country begins this process, and to contribute to the reconstruction and rehabilitation of Guinea-Bissau.

51. I wish to express my appreciation to the Special Representative of the current Chairman of ECOWAS, Ambassador Takassi, and to the Commander of ECOMOG Operations in Guinea-Bissau, Colonel Gnakoudé Berena, and his men for the excellent work which they have done as part of the implementation of the Abuja Agreement of 1 November 1998.

(Signed) Lansana KOUYATE
Executive Secretary

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/433
17 April 1999

ORIGINAL: ENGLISH

IDENTICAL LETTERS DATED 17 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF UKRAINE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you herewith a letter dated 16 April 1999 from the Minister for Foreign Affairs of Ukraine, Borys Tarasyuk, who submits a three-phase plan of action on the settlement of the Yugoslav crisis as elaborated and proposed by the President of Ukraine, Leonid Kuchma (see annex).

I should be grateful if you would bring the content of the above-mentioned letter and its enclosure to the attention of the members of the Security Council and have it circulated as a document of the Council.

(Signed) Volodymyr YEL'CHENKO
Ambassador
Permanent Representative of
Ukraine to the United Nations

99-10976 (E) 190499

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Annex

Letter dated 16 April 1999 from the Minister for Foreign Affairs of Ukraine to the President of the Security Council

I have the honour to submit to you a three-phase plan of action on the settlement of the Yugoslav crisis as elaborated and proposed by President Leonid Kuchma of Ukraine.

The plan is also submitted to the Secretary-General, the presidencies of the European Union and the Organization for Security and Cooperation in Europe, and the Yugoslav authorities.

As you will see, it includes leading international and European institutions as major players in the settlement.

The plan is meant to offer a maximum possible compromise for all the sides involved and comes from Ukraine as an impartial mediator.

(Signed) Borys TARASYUK

Enclosure

Plan of the President of Ukraine on the settlement of the crisis in Yugoslavia

First stage

1. Special meeting of the Security Council at the ministerial level to adopt a resolution which outlines the basic principles of a settlement of the crisis in Yugoslavia and the mandate of a United Nations observer mission, as well as an appeal to OSCE to deploy a humanitarian mission. The resolution shall envisage the appointment of a Special Envoy (Representative) of the Secretary-General on a settlement in the Federal Republic of Yugoslavia. The composition of the United Nations observer mission and the United Nations peacekeeping forces shall be determined with the authorities of the Federal Republic of Yugoslavia by the Security Council, through the Special Envoy (Representative).

2. End of the military actions of the Federal Republic of Yugoslavia in Kosovo and beginning of the withdrawal of regular security forces of the Federal Republic of Yugoslavia from the territory of Kosovo. Simultaneously with the withdrawal of military forces of the Federal Republic of Yugoslavia in Kosovo NATO ceases air-strikes.

3. The withdrawal of the Yugoslav forces from Kosovo takes place in coordination with the Security Council through the Special Envoy of the Secretary-General. To this end the United Nations observers shall be gradually introduced into Kosovo, comprising representatives of unengaged countries, led by a Special Envoy of the Secretary-General. Their security is guaranteed by NATO military contingents in Macedonia and Albania - "peacekeeping forces in the Federal Republic of Yugoslavia".

4. Simultaneously with the beginning of the withdrawal of the Yugoslav forces from Kosovo, representatives of the Kosovar Albanians declare a moratorium on any military actions, deployment of existing forces (KLA) on the territory of Kosovo and introduction of new forces into Kosovo.

5. The implementation of the steps outlined above is verified by the United Nations observers and surveillance aircraft in the framework of the continued system of air surveillance "Eagle's eye", with the participation of aircraft of NATO and non-NATO countries, including Ukraine. Information received during the surveillance flights is constantly provided to all participants in the operation, including Yugoslavia.

Second stage

1. United Nations peacekeeping forces shall be deployed in Kosovo under the mandate of the Security Council. The disposition of those forces shall be agreed by the Special Envoy of the Secretary-General with the authorities of the Federal Republic of Yugoslavia.

2. The Government of the Federal Republic of Yugoslavia, together with the United Nations, declares creation of the conditions which provide freedom of movement and security of the refugees for their return to their homes. With the aim of providing guarantees mobile armed groups can be created, comprising unengaged countries as part of the United Nations peacekeeping forces.

3. With the beginning of the return of the refugees or, perhaps, before it, a special OSCE humanitarian mission shall be deployed in Kosovo comprising civilian policemen and forces of "social security" for refugees (Kosovo Verification Mission in a new format) to provide orderly return and settlement of the refugees.

Third stage

After the military actions have ceased and the first stage has been accomplished and the second stage has started, a Peace Conference shall start its work with the participation of the Federal Republic of Yugoslavia, representatives of the Kosovar Albanians, NATO, mediator countries, including Ukraine, countries of the Contact Group and countries neighbouring the Federal Republic of Yugoslavia. The Conference works on the basis of the "10 points" of the Contact Group and Rambouillet political agreements on the settlement of the Kosovo problem. The Conference's aim is to elaborate temporary arrangements for a settlement of the Kosovo crisis, in particular on guarantees for the return of the refugees, as well as to prepare an agreement on the final settlement. The Conference's venue is one of the neutral countries.

* * *

During the whole period until the final settlement of the refugee problem, the international community, in the first place European countries, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross, provide necessary humanitarian assistance to the refugees, citizens of the Federal Republic of Yugoslavia, and to the countries neighbouring Yugoslavia, which received the majority of refugees on their territory.

UNITED
NATIONS

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Security Council

Distr.
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S/1999/434
16 April 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 15 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement issued on 14 April 1999 by the Presidency of the European Union on the coup d'état in Niger (see annex).

I should be grateful if you would have the text of this letter and its annex distributed as a document of the Security Council.

(Signed) Dieter KASTRUP
Permanent Representative of Germany
to the United Nations

Annex

[Original: English and French]

Statement issued on 14 April 1999 by the Presidency of the European Union on the coup d'état in Niger

The European Union roundly condemns the recent coup d'état which took place in Niger, during which President Bare Mainassara was assassinated.

The European Union deplores the suspension of the 1996 Constitution, and the dissolution of the elected Parliament and of the Government, and calls upon the military leadership to set a timetable for a return to democracy as quickly as possible. It appeals to the military leadership and to the political class as a whole to show restraint.

In view of this act of violence, which represents a major setback for the country's democratic development, the European Union is forced to re-examine its cooperation with the Republic of Niger, in compliance with the mechanisms laid down in the revised Fourth Lomé Convention.

The Central and Eastern European countries associated with the European Union, the associated country Cyprus and the countries of the European Free Trade Association, members of the European Economic Area, align themselves with this statement.

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/53/913
S/1999/435
16 April 1999
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 64
MAINTENANCE OF INTERNATIONAL SECURITY -
PREVENTION OF THE VIOLENT DISINTEGRATION
OF STATES

SECURITY COUNCIL
Fifty-fourth year

Letter dated 16 April 1999 from the Permanent Representative of Costa Rica to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the communiqué issued on 15 April 1999 by the Government of Costa Rica concerning the situation in Kosovo (see annex).

I should be grateful if you would have this letter and its annex distributed as a document of the fifty-third session of the General Assembly, under agenda item 64, and of the Security Council.

(Signed) Bernd NIEHAUS
Ambassador
Permanent Representative

ANNEX

Official communiqué issued on 15 April 1999 by the Government of Costa Rica concerning the situation in Kosovo

The Republic of Costa Rica, true to its steadfast policy of devotion to the principles of international law and the peaceful settlement of disputes, and to its tradition of peace and respect for human rights, reiterates its fervent appeal to the parties to the conflict in the Federal Republic of Yugoslavia to renounce violence and to seek diplomatic solutions, in accordance with international law and the Charter of the United Nations, in order to guarantee peace, justice, security and respect for human rights and international humanitarian law in the Balkans.

The Government of Costa Rica reaffirms its appeal to the Government of the Federal Republic of Yugoslavia to stop the massacres, atrocities and genocide of the Kosovars of ethnic Albanian origin and urges the members of the North Atlantic Treaty Organization (NATO) to cease the use of force, resume negotiations and guarantee respect for the rights of the Kosovars of ethnic Albanian origin.

In this context, the Government of Costa Rica welcomes the proposals of the Federal Republic of Germany and the European Union to resolve the situation in the Federal Republic of Yugoslavia. Costa Rica is pleased to note that these proposals are designed to guarantee the fundamental rights of the Kosovars of ethnic Albanian origin, to respect the territorial integrity and sovereignty of the Federal Republic of Yugoslavia and to respect the provisions of the Charter of the United Nations relating to the maintenance of international peace and security. The Government of Costa Rica urges the parties to engage in effective negotiations with a view to formulating, at the earliest possible date, a peace accord acceptable to all the parties involved.

Costa Rica reaffirms its conviction that responsibility for the maintenance of international peace and security rests with the United Nations Security Council. The Government of Costa Rica appeals to the Security Council and to the General Assembly to play a more active role in the solution of the conflict in the Federal Republic of Yugoslavia and urges the Secretary-General to continue and intensify his efforts in the search for a peaceful solution to the conflict.

The Government of Costa Rica expresses its profound concern at the heart-rending situation of the refugees and internally displaced persons in the Balkans. Costa Rica appeals to the international humanitarian organizations to step up their efforts to alleviate the humanitarian crisis afflicting these people.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/436
16 April 1999

ORIGINAL: ENGLISH

LETTER DATED 16 APRIL 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward a letter from Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, concerning the aggression of the North Atlantic Treaty Organization against the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Ambassador

99-10969 (E) 160499

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Annex

Letter dated 16 April 1999 from the Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia addressed to the Secretary-General

Following my letter addressed to you on 31 March 1999 (S/1999/366, annex) and my letters to the President of the Security Council of 1 February (S/1999/107, annex) and 17 March 1999 (S/1999/292, annex), as well as the letter dated 24 March 1999 from the Chargé d'affaires of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations (S/1999/322) in which we requested an urgent meeting of the Security Council because of the criminal aggression of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia, allow me to note that nothing has been done thus far to condemn or halt this brutal aggression against my country or to stop the threats to international peace and security and protect the Charter of the United Nations, which was flagrantly violated by NATO.

The failure of the Security Council to act and the blockade of its work only encourage the proponents of aggression and contribute to the further perilous endangering of international peace and security, bringing into question the international legal order and the very existence of the United Nations.

Therefore, I call on you once again to condemn without delay the aggression of NATO, halt NATO crimes against peace and humanity and protect the rights and the Charter of the United Nations. It is your bounden duty in view of the dramatic daily rise in mass civilian casualties and the destruction of the aggressor throughout Yugoslavia.

As to your letter of 9 April 1999 addressed to the President of the Federal Republic of Yugoslavia, Slobodan Milosevic (see 1999/402), I am authorized to inform you of the positions of my Government, which are contained in the enclosure. These positions are principled, constructive and based on facts and law.

(Signed) Zivadin JOVANOVIC

Enclosure

The NATO aggression has endangered international peace and security and violated the Charter of the United Nations and undermined the very foundations of the international legal order. It is imperative that the Security Council undertake urgent measures to condemn most strongly and to halt the NATO aggression against the Federal Republic of Yugoslavia, an independent, sovereign country and a founding Member State of the United Nations and to request the withdrawal of foreign forces built up by NATO at the borders of the Federal Republic of Yugoslavia, threatening thereby to escalate the aggression.

Kosovo and Metohija is a multi-ethnic, multicultural and multi-confessional province of the Republic of Serbia in which all citizens are equally treated and protected by the authorities. There has not been and there is no campaign of "intimidation" or "expulsion" of the civilian population. The NATO aggression and bombing started on 24 March 1999, causing enormous destruction of civilian buildings and mass civilian casualties, which is a crime against peace and humanity and which caused at the same time an increased number of refugees and displaced persons.

Kosovo and Metohija is an inseparable part of the Republic of Serbia, namely, of the Federal Republic of Yugoslavia. There are police and military forces in this province which perform their duties in accordance with the Constitution and the law. All activities of our forces against the terrorist so-called Kosovo Liberation Army ceased at 8 p.m. on 6 April 1999 and the cessation is still in force.

Nothing but NATO bombs threatens peace in Kosovo and Metohija. Daily NATO mass bombings represent the only obstacle to the stabilization of life and the return to the course of the political process. Our forces in Kosovo and Metohija represent a defence against the NATO aggression and serve as a shield against NATO troops built up in Albania and Macedonia and against aggression carried out from the territory of the Republic of Albania under the protection and with the assistance of NATO.

Once the aggression is ended and NATO troops are withdrawn from the Yugoslav borders, the level of military and security forces will be immediately reduced to peacetime conditions. It is incomprehensible to request the withdrawal of the legitimate forces of a sovereign State from its own territory instead of calling for an urgent ending of foreign military aggression, killing of civilians and destruction of civilian targets.

The safe return of refugees and displaced persons is the priority of our policy. By their joint statement of 6 April 1999 (S/1999/388, annex), the Federal Government and the Government of the Republic of Serbia invited all citizens to stay on their land and those who had fled to return safely. The return of refugees and displaced persons is hampered by the systematic destruction of towns such as Pristina, Djakovica, Prizren, Decani and many others in which NATO demolished by its bombs thousands of houses, schools, hospitals, water supply systems, religious buildings. The number of civilian casualties of the NATO aggression is dramatically increased each day, while over

a million citizens remain without any means for living because of the destruction of civilian, industrial and other facilities and public services. The same goal has been achieved by the bombing of an international train in the Grdelica Gorge when 55 people were killed and a great number of civilian passengers were injured, by the massacre of a convoy of ethnic Albanian refugees who were returning to their homes on the Djakovica-Prizren road when at least 75 civilians were killed, mostly women, children and the elderly, as well as by the bombing of the village of Srbica, when seven children lost their lives.

The Federal Republic of Yugoslavia continues its efforts towards finding a peaceful, political solution through direct dialogue with the legitimate representatives of the national communities of Kosovo and Metohija. The talks started in the meeting between the President of the Federal Republic of Yugoslavia, Slobodan Milosevic, and Ibrahim Rugova on 1 April 1999 have been continued with the representatives of the Republic of Serbia and the Federal Republic of Yugoslavia (on 5, 8 and 16 April 1999).

The State is guaranteeing security to all its citizens and is also able to guarantee the implementation of a ratified peace agreement. International military or police forces are not necessary and are unacceptable on Yugoslav territory.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/436*
21 April 1999

ORIGINAL: ENGLISH

LETTER DATED 16 APRIL 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward a letter from Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, concerning the aggression of the North Atlantic Treaty Organization against the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Ambassador

* Reissued for technical reasons.

99-11521 (E) 220499

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Annex

Letter dated 16 April 1999 from the Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia addressed to the Secretary-General

Following my letter addressed to you on 31 March 1999 (S/1999/366, annex) and my letters to the President of the Security Council of 1 February (S/1999/107, annex) and 17 March 1999 (S/1999/292, annex), as well as the letter dated 24 March 1999 from the Chargé d'affaires of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations (S/1999/322) in which we requested an urgent meeting of the Security Council because of the criminal aggression of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia, allow me to note that nothing has been done thus far to condemn or halt this brutal aggression against my country or to stop the threats to international peace and security and protect the Charter of the United Nations, which was flagrantly violated by NATO.

The failure of the Security Council to act and the blockade of its work only encourage the proponents of aggression and contribute to the further perilous endangering of international peace and security, bringing into question the international legal order and the very existence of the United Nations.

Therefore, I call on you once again to condemn without delay the aggression of NATO, halt NATO crimes against peace and humanity and protect the rights and the Charter of the United Nations. It is your bounden duty in view of the dramatic daily rise in mass civilian casualties and the destruction of the aggressor throughout Yugoslavia.

As to your letter of 9 April 1999 addressed to the President of the Federal Republic of Yugoslavia, Slobodan Milosevic (see 1999/402), I am authorized to inform you of the positions of my Government, which are contained in the enclosure. These positions are principled, constructive and based on facts and law.

(Signed) Zivadin JOVANOVIC

Enclosure

The NATO aggression has endangered international peace and security and violated the Charter of the United Nations and undermined the very foundations of the international legal order. It is imperative that the Security Council take urgent measures to condemn most strongly and to halt the NATO aggression against the Federal Republic of Yugoslavia, an independent, sovereign country and a founding Member State of the United Nations and to request the withdrawal of foreign forces built up by NATO at the borders of the Federal Republic of Yugoslavia, threatening thereby to escalate the aggression.

Kosovo and Metohija is a multi-ethnic, multicultural and multi-confessional province of the Republic of Serbia in which all citizens are equally treated and protected by the authorities. There has not been and there is no campaign of "intimidation" or "expulsion" of the civilian population. The NATO aggression and bombing started on 24 March 1999, causing enormous destruction of civilian buildings and mass civilian casualties, which is a crime against peace and humanity and which caused at the same time an increased number of refugees and displaced persons.

Kosovo and Metohija is an inseparable part of the Republic of Serbia, that is, of the Federal Republic of Yugoslavia. There are police and military forces in this province which perform their duties in accordance with the Constitution and the law. All activities of our forces against the terrorist so-called Kosovo Liberation Army ceased at 8 p.m. on 6 April 1999 and the cessation is still in force.

Nothing but NATO bombs threatens peace in Kosovo and Metohija. Daily NATO mass bombings represent the only obstacle to the stabilization of life and to the return to the course of the political process. Our forces in Kosovo and Metohija represent a defence against the NATO aggression and serve as a shield against NATO troops built up in Albania and Macedonia and against aggression carried out from the territory of the Republic of Albania under the protection and with the assistance of NATO.

Once the aggression is ended and NATO troops are withdrawn from the Yugoslav borders, the level of military and security forces will be immediately reduced to peacetime conditions. It is incomprehensible to request the withdrawal of the legitimate forces of a sovereign State from its own territory instead of calling for an urgent ending of foreign military aggression, killing of civilians and destruction of civilian targets.

The safe return of refugees and displaced persons is the priority of the Yugoslav policy. By their joint statement of 6 April 1999 (S/1999/388, annex), the Federal Government and the Government of the Republic of Serbia invited all citizens to stay on their land and those who had fled to return safely. The return of refugees and displaced persons is hampered by the systematic destruction of towns such as Pristina, Djakovica, Prizren, Decani and many others in which NATO demolished by its bombs thousands of houses, schools, hospitals, water supply systems, and religious buildings.

In the solution of humanitarian issues, our authorities are ready to continue to cooperate with UNHCR and ICRC. The number of civilian casualties of the NATO aggression is dramatically increased each day, while over a million citizens remain without any means for living because of the destruction of civilian, industrial and other facilities and public services. The same goal has been achieved by the bombing of an international train in the Grdelica Gorge when 55 people were killed and a great number of civilian passengers were injured, by the massacre of a convoy of ethnic Albanian refugees who were returning to their homes on the Djakovica-Prizren road when at least 75 civilians were killed, mostly women, children and the elderly, as well as by the bombing of the village of Srbica, when seven children lost their lives.

The Federal Republic of Yugoslavia continues its efforts towards finding a peaceful, political solution through direct dialogue with the legitimate representatives of the national communities of Kosovo and Metohija. The talks started in the meeting between the President of the Federal Republic of Yugoslavia, Slobodan Milosevic, and Ibrahim Rugova on 1 April 1999 have been continued with the representatives of the Republic of Serbia and the Federal Republic of Yugoslavia (on 5, 8 and 16 April 1999).

The State is guaranteeing security to all its citizens and is also able to guarantee the implementation of a political agreement to be achieved. International military or police forces are not necessary and are unacceptable on the Yugoslav territory.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/437
19 April 1999

ORIGINAL: ENGLISH

LETTER DATED 19 APRIL 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward, enclosed herewith, the aide-mémoire on humanitarian consequences of the aggression of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia (see annex).

I should be very grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

99-11116 (E) 190499

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Annex

Aide-mémoire on humanitarian consequences of the aggression of the North Atlantic Treaty Organization against the Federal Republic of Yugoslavia

In addition to committing an attack on a sovereign and independent country, by its aggression of 24 March 1999, the North Atlantic Treaty Organization (NATO) has threatened international peace and security, grossly violated the Charter of the United Nations and the international legal system and caused one of the biggest humanitarian catastrophes in the world since the establishment of the United Nations.

By enlisting enormous military might and by aerial bombardment of the population of the Federal Republic of Yugoslavia, its infrastructure and economic potentials, NATO has brazenly dropped more than 5,000 tons of the most destructive explosives and used cluster bombs banned by international law, causing enormous human casualties and vast material destruction.

As a consequence of the 25-day incessant bombardment, the entire population of Yugoslavia has been threatened, 700,000 refugees from Croatia and Bosnia and Herzegovina, especially children, the elderly and persons under special social care. The living conditions have dramatically worsened for all 11 million citizens of Yugoslavia who have been forced to flee to shelters and basements and leave places of permanent residence every day since the beginning of the aggression.

The outright destruction of numberless economic facilities has lastingly deprived hundreds of thousands of workers of their jobs, threatening their existence and the existence of about 2 million members of their families. Continued bombing hampers normal economic activities and public services almost in all fields of labour, especially in the field of industry, mining, transport and agriculture, in particular at the peak of spring planting season. Specifically, countless pharmaceutical plants and the most important health institutions in Belgrade and other cities and towns of the Federal Republic of Yugoslavia have been raided and destroyed, whereby the health of the population of the entire country has been directly jeopardized. As an example, hospitals, health centres and maternity wards in Belgrade, Pristina, Cuprija, Aleksinac, Nis, Novi Sad, Cacak, Ivanjica and in a number of other cities and towns have been either damaged or destroyed.

Hundreds of thousands of people have lost their homes because of the demolition of housing, while the destruction of communication lines, bridges, railroads, stations, airports, public institutions, kindergartens, schools and universities has impeded the everyday life of the population and its regular supply with basic provisions. Education of about 800,000 pupils and students has been discontinued. The destruction of a heating plant alone, which provides heating to one half of the population of Belgrade, has threatened the survival of 1 million inhabitants of the capital. The destruction of a bridge, the historical monument on the Danube in Novi Sad, has accounted for the destruction

of the regional water supply system and 600,000 people have been left without drinking water in a single destructive raid.

Use of exceptionally destructive ammunition, including the one banned by international conventions in force, and the bombing of oil refineries and chemical industry raw material warehouses, as well as oil and ammonia storages (Belgrade, Pancevo, Novi Sad, Smederevo, Guca) and a number of other chemical plants have caused a vast ecological catastrophe with long-lasting consequences, both for the Federal Republic of Yugoslavia and for other countries of the region, including in Europe and the Mediterranean.

The crimes of the aggression are evinced also by the data about direct hits at hospitals and other health institutions, refugee convoys, kindergartens, schools, passenger trains, cars, hotels and youth hostels. Cultural and historical monuments, many of them under the protection of the United Nations Educational, Scientific and Cultural Organization, have not been spared either.

Aggression against, and the massive bombing and systematic destruction of, cities such as Pristina, Prizren, Pec, Djakovica, Nis, Novi Sad and others have caused exodus, displacement and created refugees within the country and in neighbouring countries, in which, as in Macedonia for instance, there had been no refugees before.

The situation has dramatically worsened for 700,000 refugees from Croatia and Bosnia and Herzegovina whom Yugoslavia has sheltered for a number of years. Refugee centres have been directly hit, particularly in Pristina, Kursumlija and Kula. NATO bombs have killed a great number of refugees, while an even greater number have been injured.

Since, in the situation of the incessant aggression of NATO and round-the-clock aerial bombardment, it is not possible at this moment to ascertain the exact scope of material and other damage and the number of people who lost their lives and were buried under the debris up until 18 April 1999, only the damage and consequences eyewitnessed by the public, including numerous world media which reported them, are provided in the aide-mémoire.

Civilian casualties

From the beginning of the NATO aggression until 14 April 1999, over 6,000 NATO criminal attacks have been carried out in the territory of the Federal Republic of Yugoslavia. Seven hundred aircraft have been used in these attacks, 53 of them combat aircraft, over 1,500 cruise missiles have been launched and over 5,000 tons of bombs dropped.

Over 500 civilians have been killed in these attacks, while more than 4,000 have been gravely wounded. The most extensive loss of life has occurred in Kursumlija, Pancevo, Cacak, Kragujevac, Vranje, Aleksinac, Orahovac, Pristina, Grdelica Gorge and in two refugee convoys on the Djakovica-Prizren road, when about 75 women, children and enfeebled people lost their lives in a bombing of a few hours by NATO aircraft.

Three million children in the Federal Republic of Yugoslavia have been threatened with the consequences of war and NATO criminal bombing.

Following these barbarian attacks, hundreds of thousands of citizens were exposed to gas poisoning, which may leave lasting consequences on the overall health of the population and on the environment, both in the Federal Republic of Yugoslavia and in the region, including the entire continent and the Mediterranean.

Following the destruction of the Petrovaradin Bridge, Novi Sad and Petrovaradin have been left without water (600,000 citizens) since the magistral and city water supply systems were built into the bridge, while water supply systems catering to about 1 million people have been destroyed by bombing all over the country.

The total destruction of economic capacities all over Yugoslavia has deprived 500,000 workers of their jobs, whereby 2 million citizens have been left completely without any income whatsoever or the possibility to ensure minimum living conditions. The effects are already felt in the worsening of general living conditions, nutrition, housing and health protection of the enormous part of the population of the entire country.

Material damage is enormous and, according to the most rudimentary estimates, exceeds a few billion dollars.

Hospitals and health centres

The NATO air force has targeted hospitals and other health institutions. They have been either damaged or even completely destroyed. Amongst them are:

- Hospital and the health centre in the area of Leskovac;
- Hospital and the University Hospital in Nis;
- Gerontological centre in Leskovac;
- General hospital in Djakovica;
- City hospital in Novi Sad;
- Gynaecological/obstetric clinic, University Hospital Centre in Belgrade;
- Neuro-psychiatric hospital "Dr. Laza Lazarevic" and the central pharmacy of the emergency ward in Belgrade;
- Military Medical Academy in Belgrade;
- Health centre and the emergency ward in Aleksinac;
- Saint Sava Hospital in Belgrade;

- Health centre in Kraljevo;
- Clinic on Mount Zlatibor;
- Health centre at Rakovica;
- Orthopaedic hospital in Belgrade;
- Maternity hospital "Savski Venac" in Belgrade.

Schools

More than 190 schools, university buildings and day-care institutions have been destroyed or damaged all over Yugoslavia (over 20 faculties, 6 colleges, 40 secondary and 80 primary schools, 6 dormitories), such as:

- Primary school "16 October" and "Vladimir Rolovic" in Belgrade;
- Petlovo brdo housing estate kindergarten in Belgrade;
- Kindergarten in Nis;
- Two secondary schools in the area of Nis;
- Primary schools "Toza Markovic", "Djordje Matosevic", "Veljko Vlahovic", "Sangaj" and "Djura Danicic"; creche "Duga" and Visarionova Street and Sangaj kindergartens; transportation school centre and the Faculty of Philosophy in Novi Sad;
- Four primary and one secondary medical school in the area of Leskovac;
- Two primary and one secondary school and the sports arena, health centre and a dentist's clinic in Cuprija;
- Primary school at Lucani and a number of schools in Kosovo and Metohija;
- Faculties of Law and Economics and the primary school "Radoje Domanovic" in Nis;
- Primary schools in Kraljevo and the villages of Cvetke, Aketa and Ladjevci;
- Primary schools "Ivo Lola Ribar", "A. Mrazovic" and "N. Vukicevic" in Sombor;
- Primary school "Nikola Tesla" at Kljajicevo;
- School centre in Kula;

- Primary school and the secondary school of mechanical engineering at Rakovica.

Traffic

Extensive damage has been done to roads and railroads. Specially targeted have been road and railroad bridges, out of which 11 have been completely destroyed, while 11 have been heavily damaged.

By the destruction of the bridges across the Danube, river traffic on this waterway and the shortest connection between the North and the Mediterranean Seas has come to a complete standstill.

Economic and civilian facilities, public institutions

In the air strikes thus far, a few thousand economic facilities and housing units have been either damaged or destroyed. Over 3,500 plants and houses have been destroyed in the Leskovac area alone.

The NATO forces carried out the largest destruction of housing in Pristina, Novi Sad, Aleksinac, Djakovica, Prokuplje, Gracanica, Cuprija and elsewhere. Civilian facilities in the Belgrade suburbs of Kijevo-Knezevac, Batajnica, Jakovo, Borca and in the vicinity of Pancevo have been attacked.

Five hundred homes have been destroyed at Cuprija. The same number has been destroyed at Aleksinac and 5,000 people have been rendered homeless in these two small towns.

Industry and trade

The aggressor NATO force targets were civilian factories and industrial capacities that cater directly to the needs of the population.

Agriculture

Several thousand hectares of arable land has been damaged by the bombing. Fertilizer plants have been damaged and stocks destroyed whereby food production has been jeopardized. Many private farms and agro-industrial complexes have been destroyed:

- Agro-industrial complex at Kursumlija;
- Agro-industrial complex at Gnjilane;
- Agricultural complex "Malizgan" at Dolac;
- Agricultural complex "Djuro Strugar" in Kula;

- Over 260 hectares of woodland have been destroyed in fires caused by NATO bombs all over Yugoslavia;

- Several thousand hectares of arable land, many rivers, lakes and subterranean waters have been polluted by the spillover of oil derivatives and chemicals.

Public institutions and housing estates

Tens of thousands of housing units have been damaged or destroyed all over Yugoslavia, the most glaring examples being the destruction of apartment blocks in downtown Aleksinac (500 housing units), in Cuprija (500 housing units), in Pristina, Kraljevo, Rakovica, Nis, Kragujevac and other cities and towns. Many public institutions have also been destroyed:

- Post office building in Pristina on 7 April 1999;

- Refugee collection centre in Pristina on 7 April 1999;

- Ski centre "Tornik" on Mount Zlatibor on 8 April 1999;

- Mountain resort "Divcibare" on 11 April 1999;

- Hotel "Baciste" on Mount Kopaonik on 12 April 1999;

- Heating plant in Krusevac on 12 and 13 April 1999;

- Heating plant in Novi Beograd on 13 April 1999;

- Meteorological station on Mount Kopaonik on 13 April 1999;

- Four public libraries at Rakovica on 16 April 1999;

- Refugee centre "7 July" in Paracin.

Cultural and historical monuments and places of worship

Monasteries and places of worship

- Monastery of Gracanica (XIV century) on 24 March 1999;

- Monastery at Rakovica (XVII century) on 29 March 1999;

- Patriarchate of Pec on 1 April 1999;

- Church at Jelasnica near Surdulica on 4 April 1999;

- Convent of the Church of Saint George at Petrovaradin built in 1714 on 1 April 1999;

- Monastery of Our Lady (XII century) at the confluence of River Kosanica and River Toplica in the area of Kursumlija on 4 April 1999;

- Monastery of St. Nicholas (XII century) in the area of Kursumlija on 4 April 1999;

- Monastery of Archangel Gabriel in Zemun on 6 April 1999;

- Catholic Church of Saint Anthony in Djakovica on 29 March 1999;

- Orthodox cemetery in Gnjilane on 30 March 1999;

- Monument at Bogutovac on 6 April 1999;

- "Kadinjaca" memorial complex on 8 April 1999;

- Monastery of Vojlovica near Pancevo on 12 April 1999;

- Monastery of Hopovo (damage of iconostasis) on 12 April 1999;

- Orthodox cemetery in Pristina on 12 April 1999;

- Church of the Monastery of Archangel Michael on 16 April 1999;

Cultural and historical monuments and museums

- Heavy damage to the roof of Petrovaradin Fortress on 1 April 1999;

- Heavy damage to Tabacki Bridge in Djakovica, four centuries old, on 5 April 1999;

- Heavy damage to old downtown of Djakovica on 6 April 1999;

- Destroyed archives stored in a public building in Belgrade on 3 April 1999;

- Memorial complex at Gucevo (Loznica);

- Memorial park "Sumarice" in Kragujevac;

- Museum of Vojvodina in Novi Sad;

- Old military barracks in Kragujevac, protected by State, on 16 April 1999;

- Old Bridge in Novi Sad, the symbol of the killing of Serbs and Jews in 1941.

The humanitarian catastrophe in Kosovo and Metohija and the entire Federal Republic of Yugoslavia has been caused by the aggression of NATO. It is telling proof of the consequences of the violation of the Charter of the United Nations and the breach of international law. Furthermore, by abusing its military

might, NATO has threatened international peace and security, dealing the heaviest blow to international relations and the international legal order since the Second World War.

If the humanitarian catastrophe is to be solved soon and effectively, NATO must stop its aggression immediately. The Federal Government of the Federal Republic of Yugoslavia and the Government of the Republic of Serbia have issued a public call to displaced persons and refugees to return safely to their homes. Beginning from 6 April 1999, the Yugoslav Government has declared a cessation of all anti-terrorist activities in Kosovo and Metohija, which is an important step for a successful solution of humanitarian problems. On 6 April 1999, the Vice-President of the Federal Government, Nikola Sainovic, and Dr. Ibrahim Rugova reached an agreement on joined involvement in creating conditions for the return of displaced persons and refugees, as well as on the solution of other humanitarian issues in cooperation with the International Committee of the Red Cross, the Office of the United Nations High Commissioner for Refugees and the Yugoslav humanitarian organizations.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/438
19 April 1999

ORIGINAL: ENGLISH

IDENTICAL LETTERS DATED 19 APRIL 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF AUSTRALIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to bring to your attention copies of identical letters dated 19 April addressed to Slobodan Milosevic, President of the Federal Republic of Yugoslavia, and Milan Milutinovic, President of Serbia, from Malcolm Fraser, Special Envoy of the Government of Australia, concerning the two Australian aid workers held in detention by the authorities of the Federal Republic of Yugoslavia (see annex).

I would be grateful if you would arrange for the letters to be circulated as a document of the Security Council.

(Signed) John CRIGHTON
Chargé d'affaires

99-11104 (E) 190499

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Annex

Identical letters dated 19 April 1999 from the Special Envoy of the Government of Australia addressed to the President of the Federal Republic of Yugoslavia and the President of Serbia

As a consequence of my appointment by the Government of Australia as Special Envoy for the specific purpose of securing the release of the two Australian CARE workers, Steve Pratt and Peter Wallace, currently being held by the Yugoslav authorities, I convey the following personal considerations to you.

CARE Australia is a non-governmental, non-political, developmental and humanitarian organization that works in many countries worldwide. Australia's network of relationships has made it possible for CARE Australia to work in a number of countries which would be difficult for some States, for example: the Islamic Republic of Iran, previously, and Iraq, Myanmar and Yugoslavia today. It is against this background that, despite the current hostilities, CARE decided to continue operations in Yugoslavia looking after refugees, largely of Serbian origin, from earlier conflicts in Croatia and Bosnia. In coming to this decision, CARE has been influenced by the fact that the Australian Government has maintained its representation in Belgrade. As the Australian Government has stated, Australia is not a member of NATO nor is it involved in the conflict.

As a humanitarian organization, often working in conflict situations, CARE does not and cannot take sides in military conflicts. It is concerned only to help people in distress, many of whom would die without the support that CARE provides.

In Yugoslavia, CARE employees needed information concerning the state of the countryside so that they could plan the delivery of food, medical supplies and heating fuel to over 70,000 Serbian refugees in 600 locations under their charge. A significant portion of the refugees supported by CARE are from the Krajina. Over the last five years, CARE has provided over 20 million dollars in support of these refugee programmes. Even after the military action had begun, CARE was maintaining support for approximately 50 per cent of these refugee locations. The nature of situation reports relating to this humanitarian activity were detailed and described military impediments to the distribution of humanitarian supplies. It can be understood that, in a state of war, in a country that feels besieged and under serious threat, emotion, tension and suspicion can run high. Such circumstances would not be unique to the Federal Republic of Yugoslavia, but would be repeated in almost any country experiencing a similar military situation.

Against this total background, the nature of the situation reports prepared by CARE employees in Yugoslavia could be described as naive and capable of misinterpretation. This information was used solely for the purpose of serving an advanced humanitarian mission.

CARE is concerned with maintaining its relationship with Yugoslavia because it wishes to continue its humanitarian mission and, after the conflict, would

seek to facilitate further cooperation between Serbian communities in Australia and Yugoslavia in ways that would assist national reconstruction.

As the Special Envoy of the Government of Australia, on the basis of the above personal representation, I ask you to release Steve Pratt and Peter Wallace into Australian hands at the earliest opportunity with the undertaking that they will leave the jurisdiction of the Federal Republic of Yugoslavia.

(Signed) Malcolm FRASER

UNITED NATIONS **S**

Security Council

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S/1999/439
19 April 1999

ORIGINAL: ENGLISH

LETTER DATED 19 APRIL 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward herewith a letter, dated 18 April 1999, from Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, in reply to your letter of 13 April 1999 concerning the arrest of two Australian nationals in the Federal Republic of Yugoslavia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Ambassador

99-11110 (E) 190499

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Annex

Letter dated 18 April 1999 from the Minister for Foreign Affairs of the Federal Republic of Yugoslavia addressed to the Secretary-General

Further to your letter of 13 April 1999, I would like to inform you that Australian nationals Stephen George Pratt and Peter Stewart Wallace were arrested at the border crossing of Batrovac on 31 March 1999 and are detained in the military-investigative prison. They are being investigated for the criminal act of espionage under article 128, paragraph 2, of the Penal Code of the Federal Republic of Yugoslavia.

In the investigation conducted so far, the aforementioned persons have confessed that they have engaged in espionage for the benefit of the NATO aggressor and against the interests of the Federal Republic of Yugoslavia as a victim of aggression, as well as that, in conducting the hostile activity, they recruited a number of other foreign and Yugoslav nationals. The accused are well and they are being treated correctly. The Embassy of Australia in Belgrade will be secured consular access.

Otherwise, I am very surprised that you should contact me in connection with the fate of the said Australian nationals who abused their humanitarian function to carry out dishonourable acts aimed at undermining the defence potentials of the country facing an unprovoked aggression of the Western military alliance because it refused to accept a foreign diktat in the solution of its internal questions. I would understand your "deep concern", as Secretary-General of the world Organization, the main goal of which is to safeguard international peace and security, work on a peaceful solution of disputes and promote equitable cooperation among sovereign Member States, if it related to the tragic fate of 11 million innocent citizens of Yugoslavia who have suffered the brutal aggression of NATO and the United States of America for 25 days on end. You know very well that the consequences of this aggression are enormous, that human casualties are many and that material destruction is exceptionally vast.

Notwithstanding the fact that the NATO aggression has seriously threatened the Charter of the United Nations and the very foundations of the Organization headed by you, we have not yet heard from you a word of condemnation of the aggression, let alone a request that it be stopped without delay. Therefore, the interest that you are showing at this juncture in the arrest of the two military spies, Australian nationals, and especially the threats to put conditions on extending humanitarian assistance to innocent victims of aggression we deem, to say the least, completely out of step with the situation and the function that you perform.

In that connection, I have to note with regret that, as Secretary-General of the United Nations, you have not shown a fraction of that concern for, nor have you condemned, the massacre of innocent civilians by NATO aerial bombardment at Pristina, Aleksinac (on 6 April), Cuprija, Belgrade, Kragujevac, Kursumlija (a refugee centre), Novi Sad and many other places.

It will remain on record that you failed to condemn the massacre of refugees in the convoy on 14 April 1999 on the Djakovica-Prizren road when, in four successive raids, NATO bombers massacred 75 children, women and the elderly, nor have you requested the Security Council to take action to condemn that genocidal crime and establish the responsibility of those who issued orders and those who carried them out.

(Signed) Zivadin JOVANOVIC

UNITED
NATIONS

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General Assembly
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A/53/914
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19 April 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 16 April 1999 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 15 April 1999, addressed to you by His Excellency Mr. Aytuğ Plûmer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Volkan VURAL
Ambassador
Permanent Representative

ANNEX

Letter dated 15 April 1999 from Mr. Aytuğ Plümer addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letters dated 12, 22, 24 and 29 March 1999 (A/53/864-S/1999/283, A/53/871-S/1999/310, A/53/874-S/1999/321 and A/53/887-S/1999/355, respectively), addressed to you by Greek Cypriot representatives at the United Nations, which contain allegations regarding "violations of the airspace of the Republic".

I would like to recall that similar charges on so-called "airspace violations" were rejected in toto in our previous communications addressed to you, most recently in my letter dated 8 March 1999 (A/53/858-S/1999/256). It would suffice to say that flights within the sovereign airspace and flight information region of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the relevant authorities of the State over which the imposter regime in the South has no jurisdiction or right of say whatsoever.

I would like to emphasize that this kind of politically motivated propaganda and misrepresentation of facts does not serve the cause of peace and reconciliation in the island. Ever since the forcible usurpation of the seat of government in 1963 and the massive attacks on defenceless Turkish Cypriots throughout the island, the Greek Cypriot side has sought to consolidate itself as the so-called "sole sovereign authority" on the island. Over the years the Greek-Greek Cypriot camp have exacerbated the situation in the region with policies aimed at isolating the Turkish Cypriot people from the rest of the international community through an array of inhuman embargoes and restrictions; securing the unilateral accession of the Greek Cypriot administration into the European Union; and the implementation of the joint military doctrine which has effectively converted South Cyprus into a military outpost of Greece.

In the circumstances of Cyprus, the only realistic and viable framework for the peaceful coexistence of the two peoples is a confederal partnership settlement on the basis of two sovereign States. If the Greek Cypriot side is genuinely interested in an amicable and lasting settlement it should desist from perpetuating the myth that it is the sole sovereign authority on the island, abandon its policy of escalation and tension, and begin taking steps in the direction of establishing trust and confidence in the island without any delay.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern Cyprus

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/441
19 April 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 18 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 April 1999 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, giving details of a fresh Turkish incursion into northern Iraq that began on 7 April 1999 and calling on the United Nations to meet its responsibilities, to halt the aggression to which Iraq is constantly being subjected and to urge the Turkish Government to comply with the norms enshrined in the Charter of the United Nations and in international law by withdrawing its armed forces from Iraq's territory forthwith.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Permanent Representative

Annex

Letter dated 16 April 1999 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Further to my letter dated 21 February 1999 addressed to you (S/1999/196, annex), I should like to call your attention to the fact that on 7 April 1999 units of the Turkish armed forces carried out a fresh incursion into northern Iraq. These units were from a special-forces battalion of the formations stationed near Iraq's international boundaries, and they were supported by helicopters and by groups from the village gendarmerie. They penetrated Iraqi territory to a depth of 15 kilometres on the pretext of being in pursuit of Kurdish Workers' Party guerrillas in the Zakho-Amadiyah area. The incursion has caused serious losses in terms of lives and property to Iraqi citizens among our Kurdish people in the area, to say nothing of the damage done to public property. The force in question also proceeded to search the Wadi Kayshan, Wadi Bagham, Kari Halis and Jabal Khantur areas, and it was supported by a number of the Turkish tanks already on station inside Iraqi territory.

The Government of Iraq condemns in the strongest terms this violation of its territory and airspace by the Turkish armed forces, and it calls upon the Turkish Government to withdraw its invading forces from Iraqi territory forthwith and to desist from any repetition of practices that are incompatible with relations of good neighbourliness and the principles of international law and of the Charter of the United Nations. The Government of Iraq further rejects outright the pretexts advanced by Turkey to justify such incursions into northern Iraq, given that the alleged pursuit of elements that pose a threat to Turkish national security does not make it legitimate for Turkey to implement a policy that is entirely at odds with its declared commitment to the sovereignty and territorial integrity of Iraq.

Turkey's distress is fundamentally due to the persistence of the anomalous situation that was created by the United States and the United Kingdom in the area in cooperation with the Government of Turkey itself.

The Government of Iraq reserves the right to seek compensation for the damage caused by these unlawful actions, it renews its call to the Government of Turkey to put a halt to operations that violate Iraq's sovereignty and place its security and integrity in great jeopardy, and it urges Turkey to give concrete expression to its professed respect for the norms of good neighbourliness between States.

As I express the hope that the United Nations will fulfil its responsibilities as stipulated in the Charter and will halt the constant intimidation and aggression to which my country is being subjected, I request you to do your utmost to urge the Turkish Government to observe the norms enshrined in the Charter of the United Nations and in international law by withdrawing its armed forces from Iraq's territory forthwith.

I request you to have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

UNITED NATIONS **S**

Security Council

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19 April 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 18 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 18 April 1999 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq. The Minister calls attention to the fact that, at the instigation of the representatives of the United States and the United Kingdom in the Committee, the Security Council Committee established by resolution 661 (1990) has obstructed and delayed the processing of contracts for spare parts and supplies for petroleum installations located in the southern region of Iraq, and he urges you to intervene with a view to settling the issue of the contracts that have long been on hold.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

Annex

Letter dated 18 April 1999 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I should like to call your attention to a matter of the utmost importance that relates to the processing of contracts for spare parts and supplies for the oil sector in Iraq under the memorandum of understanding of 20 May 1996. Under the terms of Security Council resolution 1175 (1998), the sum of 300 million dollars was allocated under phase IV of the memorandum of understanding for the provision of spare parts and production-related supplies for the oil industry in Iraq on the basis of the detailed report prepared by the group of experts established by you following your visit to Iraq in March 1998. The group of experts drew up detailed lists of the oil sector's requirements in terms of the spare parts, materials, supplies, equipment and machinery needed to improve and expand the productive capacity of the oil installations in operation. You endorsed that report and transmitted it to the Security Council by your letter dated 15 April 1998 addressed to the President of the Council (S/1998/330 and Corr.1). The lists were also used for the central distribution plan, which was approved by you. The same measures were taken in the same context for phase V under the memorandum of understanding, and the same sum was allocated for the provision of basic supplies for the oil sector in Iraq under Security Council resolution 1210 (1998).

In preparing contracts for the purchase of materials and equipment under the memorandum of understanding, our oil companies have endeavoured to comply fully with the distribution plan approved by you. Accordingly, as of 8 April 1999 they had forwarded 536 phase IV contracts to the secretariat of the Iraq Programme for submission to the Security Council Committee established by resolution 661 (1990) for its approval and endorsement. We have noted that, since that phase began, the Committee has placed on hold, for very long periods of time, a very large number of the contracts submitted. Our analysis of this odd conduct on the part of the Committee has revealed to us the facts set forth hereunder.

1. There are currently 91 contracts on hold, and 11 per cent of them have been on hold for more than six months and 69 per cent for more than three months. This is despite the fact that our oil companies and the supplier companies responded to all the Committee's inquiries at the time they were made.

2. The fact that these contracts are being kept on hold without any decision by the Committee either to approve or reject them means that a sum in excess of 28 million dollars is effectively frozen and that our oil companies are thus being deprived of opportunities to submit alternative contracts for other materials and equipment that are included in the distribution plan but for which no financial allocation has been available.

3. In placing contracts on hold, the Committee has focused on contracts pertaining to the oil companies in the southern region (Southern Petroleum and Southern Refineries), whose contracts on hold account for 79 per cent of the number and 77 per cent of the value of all contracts on hold. Twenty-four

contracts pertaining to Southern Refineries and 17 pertaining to Southern Petroleum have been on hold for more than four months.

4. The representatives of the United States and the United Kingdom have provided no justification for keeping these contracts on hold for such a long period of time. Examination of the items and specifications covered by the contracts submitted by our southern oil companies indicates that similar contracts have been presented by our oil companies in the central and northern regions and have been approved without any problem. They have included, by way of example: water treatment and environmental protection chemicals; items for steam boilers; equipment for fire-extinguishing systems; spare parts for electrical and control equipment; and vehicles. (Contracts for vehicles for the Oil Pipeline Company and the Petroleum Products Distribution Company have also been placed on hold because these two companies also serve the southern region.)

5. The representatives of the United States and the United Kingdom have also placed on hold contracts for materials and equipment for all of Southern Petroleum's communications systems, despite their close linkage with the control and metering of the pumping and exportation of crude oil. These two representatives have persisted in this attitude, even after United States aircraft inflicted damage on these systems in the ongoing aggression against them.

6. For some time now, personnel from Southern Petroleum have been readying Mina' al-Amiq as a backup terminal to supplement Mina' al-Bakr in the southern exportation infrastructure, and some materials and equipment for the terminal were included in the distribution plan. However, all the contracts concluded for Mina' al-Amiq have been placed on hold on the grounds that the terminal is not covered by the exportation plan.

It will be clear to you from the foregoing that there is an obvious and deliberate inclination in the Committee to obstruct and delay the processing of contracts that relate to Iraqi oil installations in the southern region and that this is done with the support and at the instigation of the representatives of the United States and the United Kingdom in the Committee. We therefore request you to intervene with a view to securing a settlement of the issue of the contracts that have long been on hold and the establishment of a maximum period of time - and we propose one of not more than one month - for which contracts can remain on hold after all the information requested in their regard has been provided.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq